

**1. What is the Palm Valley Dredging Project and why is it so important?**

The U.S. Army Corps of Engineers (Corps) and Florida Inland Navigation District (FIND) are planning to maintain dredge the Intracoastal Waterway (IWW) in Palm Valley beginning in August 2005. The project encompasses approximately 11 miles of the IWW, from the St. Johns County/Duval County line to 2 miles south of the Palm Valley Bridge. The channel along this section of Palm Valley has silted in significantly over the years making some areas difficult to traverse or access. This maintenance of the IWW will remove silt and will provide significant benefits to both commercial and recreational boaters. The dredging will also provide improved water depths and boating access to local property owners in the Palm Valley area.

**2. What is the concern regarding this part of the waterway?**

This section of the IWW is man-made and is at the minimum width necessary to maintain navigation. All structures, including docks, on this stretch of the waterway can affect navigation, safety and the Corps' ability to safely operate the dredging equipment necessary to maintain the channel.

**3. What authorizations are required to construct a structure/dock along the waterway?**

Each dock must have a Corps permit in compliance with the Rivers and Harbors Act of 1899, a Consent to Easement so that it can be located within the Federal easement adjacent to the channel, and all docks must meet the setback criteria designed to keep structures a specific distance from the channel.

**4. What is the process for acquiring a permit?**

Any new, replacement or modified structure within the IWW section of Palm Valley will require a federal permit and Consent to Easement. Once an application is submitted in its entirety, with required drawings, the Corps will expedite the processing of your request. Authorization will be on a first come-first serve basis and processing time will depend upon the numbers of applications submitted. The Consent to Easement typically costs \$300.00.

**5. What are the setback criteria?**

The setback criteria are a set of policies established to allow for the safe navigation and the periodic maintenance of the IWW. The standard set back from the federal channel is 100 feet. If need is demonstrated (such as low water depth at low tide) the setback may be narrowed to 62.5 feet. An exceptional variance for the Palm Valley section of the waterway was established in 1999, to allow for moored vessels and/or structures to be no closer than 36-feet from the near bottom edge of the channel. A complete version of the setback criteria can be found on our website at: [http://www.saj.usace.army.mil/permit/hot\\_topics/Dock\\_Guidelines/PDF\\_Files/iww.pdf](http://www.saj.usace.army.mil/permit/hot_topics/Dock_Guidelines/PDF_Files/iww.pdf)

**6. My dock was built before the 1999 setback variance was established, how do these criteria apply?**

All docks within the IWW section of Palm Valley, despite year built, are required to meet the setback criterion, and are required to have a federal permit, and Consent to Easement.

**7. How does the Corps know whether or not my dock meets setback criteria?**

In May 2001, a licensed contractor working for the Corps surveyed all of the docks in Palm Valley. This data was corroborated in January 2005 and compared with the alignment of the IWW channel to determine the setback distance of each structure.

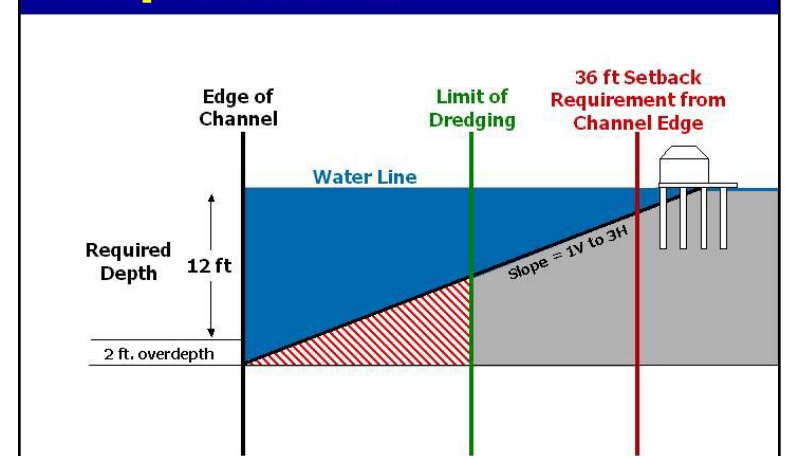
**8. I have a dock on the Intracoastal Waterway, do I have to remove it for the dredging operations?**

The majority of the docks along the waterway meet the setback criteria. If you meet the setback criteria, you will not be required to remove your dock.

**9. My dock meets all the parameters listed above. Does this mean it will be safe from impact or injury?**

Unfortunately, it does not. Despite compliance with all the above parameters, the Corps cannot

## Simple Box Cut



guarantee that your dock will not be impacted. Due to the scale and complexity of the Palm Valley operation and the narrowness of the waterway, there is the possibility of contact between the dredging equipment and existing private mooring structures currently located within the Federal easement. Even if there is no physical contact with dredging equipment some docks may subside when supporting submerged materials are removed through dredging. Those structures closest to the maintained channel, despite appropriate permits, will be at the highest risk of being affected.

**10. What if my dock is authorized, meets existing setback criterion, and does not have to be removed, but is ultimately damaged by the dredging?**

The Corps will attempt to avoid damaging structures/docks. However, because your dock is located within the federal easement, the Corps is not responsible for any damages that may result from the project. If damaged, you will be responsible for any repairs. All repairs must adhere to the limitations established in your existing permit and Consent to Easement.

**11. I don't think I meet all three of the parameters outlined above. When do I have to remove or modify my dock and how long before I can replace it?**

The Corps has already commenced action regarding structures that do not have Department of the Army permits or do not meet the setback criteria. We are currently finalizing our coordination with property owners who need to remove portions of their docks. Once we finalize action regarding the structures that violate the setback criteria, we will proceed with our after-the-fact evaluation of other structures that are unauthorized but meet the setback criteria.

**12. I am not sure if my dock extends beyond the setback limits. Who should I contact to request information on the position of my dock relative to the channel? Who should I contact if I have questions regarding the permit status of my structure?**

Hiring a professionally registered land surveyor in the State of Florida is a good way to ensure that you get the right answers regarding the length of your dock relative to the channel. If you have a question as to whether you have a federal permit for your structure, you can contact our Regulatory Division at 904-232-1676. If you wish to determine the status of a Consent to Easement for your structure/dock, you may contact the Real Estate Division at 904-232-2537. For questions regarding the technique used by the Corps to survey your specific dock for compliance, you may contact our Engineering Division at 904-232-2190.

13. I am only slightly within the setback. Since all docks, regardless of permit status, are subject to damage anyway, couldn't I wait until after the maintenance dredging to pull back my dock?

No. The Corps will take all appropriate steps to ensure the safe maneuvering of dredging equipment for the maintenance operation. If you fail to remove or properly authorize your dock and/or obtain necessary permits, the Corps will take appropriate steps to ensure the safe operation of the dredge. These steps could include removal of the structure at your expense.

14. If I do not bring my dock into compliance, what will happen?

The Corps will take all appropriate steps to ensure the maximum safety for those individuals maintaining the channel and for commercial and recreational users. This could include legal action and the removal of your structure/dock at your expense.

15. I recently bought a home in the area, what do I need to do to ensure that I am in compliance with the permitting requirements?

If possible, check with the prior owner to determine if they had received federal permits. If you are unable to reach the prior owners, you can contact the Regulatory Division at 904-232-1676 with the prior owner information so that we may query our database.

16. I am planning on selling my home, how can I transfer my permit to the new owner?

A copy of a Transfer of Permit notice was included with your permit. Please work with the buyer and complete the appropriate page and submit to the Corps Regulatory Division for processing. If you have lost the transfer form, you can call Regulatory Division for a replacement or download a replacement form at our website: <http://www.saj.usace.army.mil/permit/forms/forms.htm>

17. When we reconstruct our dock to meet the setback criteria, do we have to notify the Corps? If so, how?

Prior to removal and reconstruction of your structure for the purposes of meeting the setback criteria, you should notify the Corps in writing. The notification should include a written description and sketch depicting the corrective work to be done. The Corps will not require a permit to be obtained prior to this removal and reconstruction. However, to be completely in compliance with Department of Army requirements, you will be required to apply for and receive after-the-fact authorization for the structure. The timeframe for submitting such an application will be communicated with you at a later date. At some point, you will also be required to submit "as-built" drawings demonstrating that the structure meets the setback criteria.

18. When do we have to have our docks reconstructed?

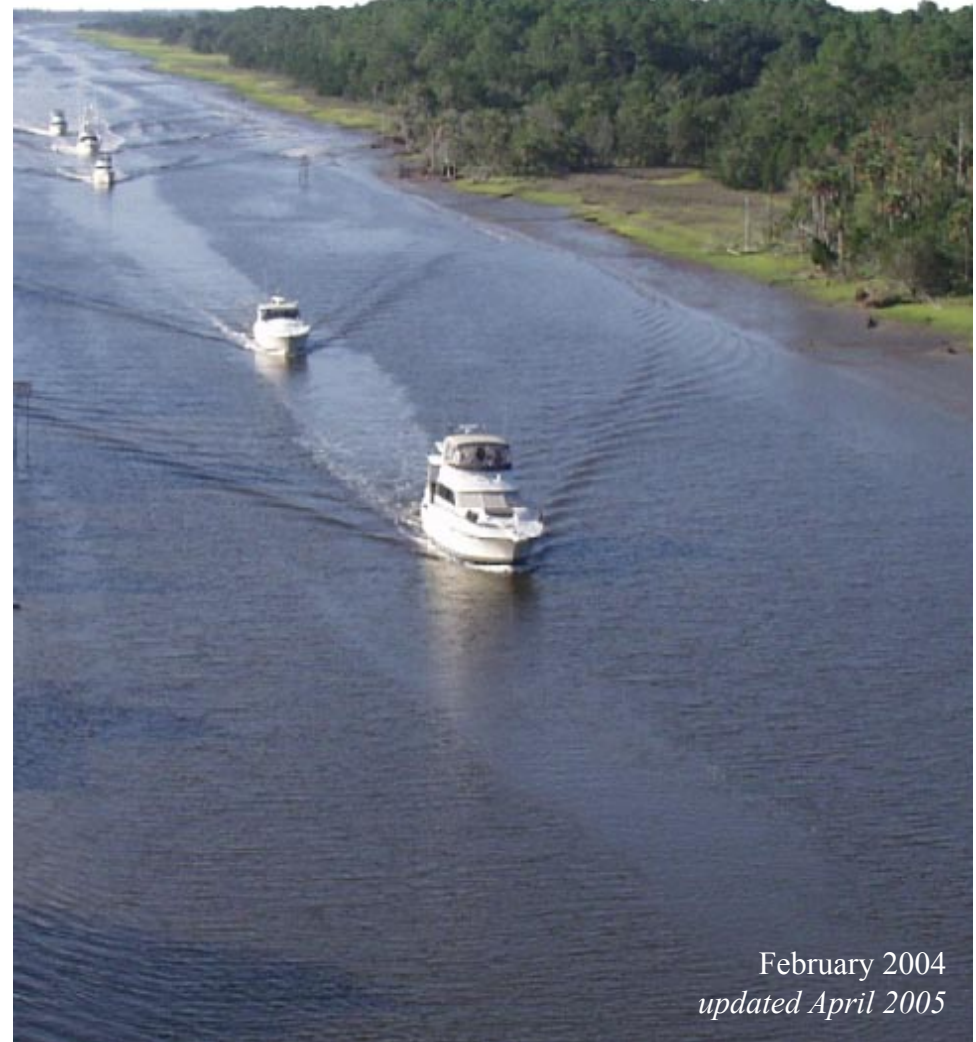
You should begin to take steps immediately to bring your dock into compliance with the setback criteria. At this time, it is not possible to accurately predict when the dredge will be working near your property. What we do know is that dredging is scheduled to commence in early August 2005. It will begin 2 miles south of the Palm Valley Bridge and progress north for approximately 11 miles ending near the St. Johns County/Duval County line. Dredging of this channel will take approximately one year to complete.



US Army Corps  
of Engineers  
Jacksonville District

# Frequently Asked Questions

## Palm Valley Intracoastal Waterway Maintenance Dredging and Dock-related Questions



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